



05-02-05

AFW

April 29, 2005

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Applicant(s): Vargas, Jaime S.; et. al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057  
Examiner: Not yet assigned  
Docket No.: 143  
Filed: September 9, 2003  
Group Art Unit: 3731

Dear Sir:


Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) Form PTO-1449 and 2 references; and
- (4) Return postcard.

Please charge Deposit Account 502108 for any additional fees required, and credit deposit account 502108 any amounts overpaid.

**EXPRESS MAIL SERIAL NO.:**  
**EV430389832US**

Respectfully submitted,

  
Brian A. Schar, Esq.  
Reg. No. 45,076  
Cardica, Inc.  
900 Saginaw Drive  
Redwood City, CA 94063



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Bender, Theodore M.; et. al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057 Filing Date: September 9, 2003  
Examiner: Not yet assigned Group Art Unit: 3731  
Docket No.: 143

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the information listed on the accompanying form PTO-1449 is brought to the attention of the Examiner.

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), and thus no petition or fee is required.

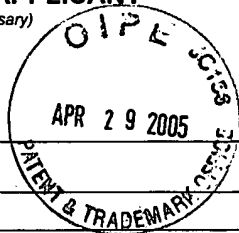
Respectfully submitted,

Brian A. Schar  
Attorney for Cardica, Inc.  
Reg. No. 45,076  
900 Saginaw Drive  
Redwood City, CA 94063

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

**Application Number** 10/659,057**Filing Date** September 9, 2003**First Named Inventor** Bender, Theodore**Group Art Unit** 3731**Examiner Name** Unknown

Sheet 1 of 1

**Attorney Docket No:** 143**US PATENT DOCUMENTS**

| Examiner Initial * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|---------------------|------------------|---|---|
|                    | US-2004/0073247 A1  | 04/27/2004       | Loshakove,                                      |   |
|                    | US-5,423,796        | 06/13/1995       | Shikhman, , et al.                              |   |
|                    | US-5,423,846        | 06/13/1995       | Fischell,                                       |   |
|                    | US-5,591,187        | 01/07/1997       | Dekel,  |   |
|                    | US-6,004,909        | 12/21/1999       | Lindman,  |   |
|                    | US-6,025,015        | 02/15/2000       | Landry-Coltrain, , et al.                       |   |
|                    | US-6,419,681        | 07/16/2002       | Vargas, , et al.                                |   |
|                    | US-6,488,693        | 12/03/2002       | Gannoe, , et al.                                |   |
|                    | US-6,673,088        | 01/06/2004       | Vargas, , et al.                                |   |
|                    | US-6,685,630        | 02/03/2004       | Sauer, , et al.                                 |   |
|                    | US-6,689,147        | 02/10/2004       | Koster Jr.,                                     |   |
|                    |                     |                  |   |   |

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|----------------------|---|----------------|
|                    |                      | Cardica PAS-Port Proximal Anastomosis System 510(k)", Section VI.C., "Substantial Equivalence", and Attachment 7 (Unpublished)  |                |
|                    |                      | Sales training brochure entitled "CorLink Automated Anastomosis Device" (2002),   |                |
|                    |                      |   |                |

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached